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04 UNITED STATES DISTRICT COURT  
05 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

06 UNITED STATES OF AMERICA, ) CASE NO. CR04-430-RSL  
07 )  
Plaintiff, )  
08 )  
v. ) SUMMARY REPORT OF U.S.  
09 ) MAGISTRATE JUDGE AS TO  
JOSHUA BLAINE CHRISTENSEN, ) ALLEGED VIOLATIONS  
10 ) OF SUPERVISED RELEASE  
Defendant. )  
11 \_\_\_\_\_ )

12 An initial hearing on supervised release revocation in this case was scheduled before me  
13 on October 2, 2009. The United States was represented by AUSA William Redkey and the  
14 defendant by Allen Bentley. The proceedings were digitally recorded.

15 Defendant had been sentenced on or about April 1, 2005 by the Honorable Robert S.  
16 Lasnik on a charge of Theft of Mail, and sentenced to one year and one day custody with credit  
17 for time served, three years supervised release. (Dkt. 37.)

18 The conditions of supervised release included the standard conditions plus the  
19 requirements that defendant cooperate in the collection of DNA, be prohibited from possessing  
20 a firearm, submit to mandatory drug testing, abstain from alcohol, participate in a drug treatment  
21 program, submit to search, pay restitution in the amount of \$1,000, provide access to financial  
22 information, be prohibited from incurring new credit obligations, be restricted from employment

01 that allows access to customers' personal financial information, be prohibited from possessing  
02 any identification documents in any but defendant's true identity, and cooperate with the I.R.S.  
03 and pay all outstanding tax liabilities.

04 Defendant's probation officer reported on January 31, 2006 that defendant failed to report  
05 for drug testing on five occasions. (Dkt. 38.) No action was taken at the time. On February 8,  
06 2006, defendant's probation officer reported that defendant had tested positive for marijuana.  
07 He was reprimanded, placed in a structured testing program, and referred for professional  
08 assessment, counseling and intensive outpatient treatment. (Dkt. 39.) On April 17, 2006,  
09 defendant's supervised release was modified to require participation in the home confinement  
10 program with electronic monitoring for up to 60 days. The frequency of drug testing was also  
11 specified. (Dkt. 40.)

12 On January 27, 2007, defendant admitted to violating the conditions of supervised release  
13 by failing to appear for drug testing, failing to engage in drug treatment, failing to report to his  
14 probation officer as directed and committing the crime of possession of stolen property, first  
15 degree. (Dkt. 48.) He was sentenced to six months in custody plus twenty four months  
16 supervised release. (Dkt. 49.)

17 On December 8, 2008, defendant admitted to violating the conditions of supervised  
18 release by failing to appear for drug testing, using marijuana and ecstasy, and failing to follow  
19 the instructions of his probation officer. (Dkt. 54.) He was sentenced to three months in custody,  
20 plus twenty months supervised release. He was ordered to reside in and satisfactorily participate  
21 in a residential reentry center program for up to 180 days. (Dkt. 63.)

22 In an application dated August 31, 2009 (Dkt. 64), U.S. Probation Officer Calvin K.

01 Bouma, Jr. alleged the following violations of the conditions of supervised release:

02 1. Failing to appear for drug testing on August 24, 2009 in violation of the special  
03 condition that he participate in a program for the treatment of drug dependency to include testing.

04 2. Using methamphetamine and cocaine on or before August 16, 2009, and  
05 methamphetamine and marijuana on or about August 27, 2009, in violation of standard condition  
06 number 7.

07 3. Failing to participate in substance abuse treatment on or about August 19, 20, 24,  
08 26 and August 27, 2009, in violation of the special condition requiring him to do so.

09 Defendant was advised in full as to those charges and as to his constitutional rights.

10 Defendant admitted the alleged violations and waived any evidentiary hearing as to  
11 whether they occurred.

12 I therefore recommend the Court find defendant violated his supervised release as alleged,  
13 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
14 set before Judge Lasnik.

15 Pending a final determination by the Court, defendant has been detained.

16 DATED this 2nd day of October, 2009.

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18   
19 Mary Alice Theiler  
United States Magistrate Judge

20 cc: District Judge: Honorable Robert S. Lasnik  
AUSA: William Redkey  
21 Defendant's attorney: Allen Bentley  
Probation officer: Calvin K. Bouma, Jr.  
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